

WILLMAR CITY COUNCIL PROCEEDINGS
COUNCIL CHAMBERS
WILLMAR MUNICIPAL UTILITIES BUILDING
WILLMAR, MINNESOTA

February 7, 2005
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Doug Reese, Ron Christianson, Bruce DeBlieck, Denis Anderson, Cindy Swenson, Rick Fagerlie, Jim Dokken, and Steven Gardner; Present 9, Absent 0.

Also present were City Administrator Michael Schmit, City Attorney Richard Ronning, Police Chief Jim Kulset, Fire Chief Marv Calvin, Public Works Director Mel Odens, Finance Director Steven Okins, Planning and Development Services Director Bruce Peterson, Community Education and Recreation Director Steve Brisendine, and City Clerk Kevin Halliday.

Proposed additions to the agenda included information on an ice fishing tournament.

Council Member Christianson offered a motion adopting the Consent Agenda which included the following: City Council Minutes of January 24, Rice Hospital Board Minutes of January 21, Municipal Utilities Commission Minutes of January 24, and Building Inspection Report for January, 2005. Council Member Reese seconded the motion, which carried.

Mayor Heitke acknowledged that no one had signed up to address the City Council during its scheduled Open Forum.

The Finance Committee Report for January 31, 2005, was presented to the Mayor and Council by Council Member Anderson. There were four items for Council consideration.

Item No. 1 Staff presented the City of Willmar Investment Policy to the Committee for its annual review. There being no recommended changes, the Investment Policy was received for information only.

Item No. 2 Staff presented the Cushman Rice Trust Statement of Investment Policy to the Committee for its annual review. The Committee reviewed the asset allocation ranges defined in the guidelines and the performance of the portfolio. There being no recommended changes, the Cushman Rice Trust was received for information only.

Item No. 3 The Committee reviewed and discussed the City's Fund Balance Policy. Staff presented a letter from the Minnesota State Auditor's Office regarding its recent report, *Minnesota City Finances: 2003 Revenues, Expenditures and Debt*. This matter was for information only.

Item No. 4 The Committee reviewed the following reports: December Investment, Fourth Quarter Interest/Dividends and December Investment Portfolio. This matter was for information only.

The Finance Committee Report for January 31, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member Anderson, seconded by Council Member Gardner, and carried.

The Public Works/Safety Committee Report for February 1, 2005, was presented to the Mayor and Council by Council Member Reese. There were two items for Council consideration.

Item No. 1 The Committee reviewed the Improvement Report for the 2005 Projects. The report includes reconstruction, overlay, new construction, and miscellaneous projects. Staff briefly reviewed the streets to be reconstructed and the miscellaneous items proposed. The total estimated cost for improvements, including the miscellaneous items, is \$7,559,600.00 with the City's share being approximately \$1.14 million.

This year's improvements include reconstruction of Willmar Avenue SE from 4th Street SE to the T.H. 71-23 Bypass in conjunction with Kandiyohi County, and relocation of the existing 4th Street SE to the east, aligning through the Kandi Mall to 19th Avenue. Both the intersection of the new 5th Street and Lakeland Drive will require the installation of signal systems. Staff addressed questions the committee had involving the design of Willmar Avenue and requested the committee amend the Improvement Report to include the signal system at 5th Street and Willmar Avenue.

The Committee was recommending the Council amend the 2005 Improvement Report to include the installation of a signal system at 5th Street and Willmar Avenue SE. Council Member Reese moved to approve the recommendation of the Public Works/Safety Committee with Council Member Christianson seconding the motion, which carried.

The Committee was recommending the Council approve the Preliminary Report for the 2005 Improvements and order an Improvement Hearing for February 22, 2005 at 7:02 p.m. Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Christianson, read by Mayor Heitke, and approved on a roll call vote of Ayes 8, Noes 0.

RESOLUTION NO. 1

RECEIVING PRELIMINARY REPORT AND CALLING PUBLIC HEARING ON YEAR 2005 IMPROVEMENT PROJECTS

WHEREAS:

1. The City Council deems it necessary and expedient that the City of Willmar, Minnesota, construct certain improvements to-wit: grading, gravel base, bituminous paving, curb and gutter, sidewalk, signal systems, street lighting, sanitary sewer, storm sewer, water main, sump pump drain tile, and service lines in the City as described in and in accordance with the preliminary plans and report prepared by the City Engineer.

2. The Council has been advised by the City Engineer that said Year 2004 Improvement Projects contained in the Preliminary Report are feasible and should best be made as proposed, and the City Engineer's report to this effect has heretofore been received by the Council, and filed with the Clerk-Treasurer; and

3. The statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof and the area proposed to be assessed, in accordance with the law;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, as follows:

1. A public hearing will be held at the time and place set forth in the Notice of Hearing hereto attached to consider said proposed improvements.

2. The nature of the improvements, the estimated cost of each major portion thereof, and the areas proposed to be assessed therefore are described in the form of Notice of Hearing hereto attached.

3. The notice of said public hearing shall be in substantially the form contained in the notice hereto attached (on file in the City Clerk's Office).

4. The Clerk-Treasurer is hereby authorized and directed to cause notice of said hearing to be given two publications in the official newspaper. Said publications shall be one week apart, and at least three days shall elapse between the last publication and the hearing. Not less than ten days before the hearing the Clerk-Treasurer shall mail notice of the hearing to the owner of each parcel of land within the area proposed to be assessed as described in the notice. For the purpose of giving such mailed notice, owners shall be those shown to be such on the records of the County Auditor or, if the tax statements in the County are mailed by the County Treasurer, on the records of the County Treasurer. As to properties not listed on the records of the County Auditor or the County Treasurer, the Clerk-Treasurer shall ascertain such ownership by any practicable means and give mailed notice to such owners.

Dated this 7th day of February, 2005.

/s/ Lester Heitke
MAYOR

/s/ Kevin Halliday
Attest: CITY CLERK

Item No. 2 Staff reviewed with the Committee the City's current Snow Emergency Policy which allows the declaration of a snow emergency in which no person shall park a motor vehicle or trailer on the streets within the City during a declared period.

Staff then reviewed the City's maintenance operations in detail and addressed questions concerning problem areas created by parked vehicles. It was the consensus of the Committee to have staff monitor snow removal and if any other problems areas are tracked, look into installation of seasonal parking signs there also. This matter was for information only.

The Public Works/Safety Committee Report for February 1, 2005, was presented to the Mayor and Council by Council Member DeBlieck. There were two items for Council consideration.

The Community Development Committee Report for February 3, 2005, was presented to the Mayor and Council by Council Member DeBlieck. There were three items for Council consideration.

Item No. 1 The Committee reviewed an overview of the Department of Planning and Development Services. Specifically the four divisions of the Department were discussed with the work program for each explained. Those four divisions are: Economic Development, Physical Development, Code Enforcement, and Rental Registration. At the request of the Committee, staff

will reduce this information to a written handout for future Council reference. This matter is for information only.

Item No. 2 Staff presented to the Committee updates on a variety of commercial and industrial projects. Site plans and building elevations were presented for the West Central Steel office building and Home State Bank project. A variety of other projects were discussed including Family Eye Center, Hometown Plaza, Latter-day Saints Church, and the Ridgewater Science Lab. The status of the Duininck development was also discussed. This matter is for information only.

The Community Development Committee Report for February 3, 2005, was approved as presented and ordered placed on file in the City Clerk's Office upon motion by Council Member DeBlieck, seconded by Council Member Gardner, and carried.

The Mayor and Council considered a final plat for Genesis Addition, a four-lot plat for single-family home development. Planning and Development Services Director Peterson explained that the utility easements have been added as per the preliminary plat condition and reapportionment will be done simultaneously with the final plat. Following discussion, Council Member Christianson offered a motion to approve the final plat for Genesis Addition with Council Member DeBlieck seconding the motion, which carried.

Planning and Development Services Director Peterson informed the Mayor and Council that Marlan and Kay McLane have requested that the assessments against their property be reapportioned to reflect the Genesis Addition plat. Following discussion, Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Anderson, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0, Council Member Fagerlie abstained from voting.

RESOLUTION NO. 2

WHEREAS, a request for reapportionment of special assessments has been filed with the City of Willmar, said request being signed by all of the parties having an interest in the following-described property:

That part of the SW ¼ of NW ¼ described as follows: beginning at the SW corner of said SW ¼ NW ¼, then N 110', then E 163', then N 110', then E 827", then W 990' to point of beginning, Section 13, Township 119, Range 35.

Parcel No. 95-913-1200

to wit: Marlan and Kay McLane

WHEREAS, the above have waived notice of hearing and hearing on said reapportionment;
and

WHEREAS, the City Council of the City of Willmar is in agreement that the agriculture deferred assessments totaling \$19,994.28 placed against the above-described parcel be hereby reapportioned as herein described:

<u>Parcel No.</u>	<u>Legal Description</u>	<u>Amount</u>
95-229-0030	Lot 3, Block 1, Genesis Addition	\$9,997.14
95-229-0040	Lot 4, Block 1, Genesis Addition	\$9,997.14

